




Mitchell E. Daniels, Jr.  
Governor

Gregory N. Larkin, M.D., F.A.A.F.P.  
State Health Commissioner

**DATE:** January 12, 2011

**TO:** Executive Board, Indiana State Department of Health

**FROM:** James F. Howell, DVM, MPH, DACVPM   
Assistant Commissioner, Public Health and Preparedness Commission

**SUBJECT:** Final Adoption of the Indoor Air Quality Rule 410 IAC 33 (LSA Doc. #09-682)

The Indiana State Department of Health (ISDH), Indoor Air and Radiological Health Division, requests the Executive Board, at the Executive Board's January 12, 2011 meeting, to adopt as a final rule a rule for Indoor Air Quality for Schools and State Agencies (410 IAC 1-33). Effective date of the rule is May 1, 2011. The proposed final rule is attached.

This proposed final rule carries out the legislative mandate stated in Senate Bill 440 (Public Law 132-2009), which requires the ISDH to adopt rules concerning indoor air quality in schools and state agencies. The Bill stated that after the ISDH inspects a school or state agency for indoor air quality as the result of a complaint the ISDH must report certain information. It also stated that such a complaint must be in writing and may be made by electronic mail. The Bill allows the ISDH to release the name of a complainant only if the complainant has authorized the release in writing. The Bill requires the ISDH to post minutes of each meeting of the Air Quality Panel on the ISDH website not later than 45 days after the meeting. The Bill also requires the ISDH to: (1) distribute a manual of best practices for managing indoor air quality at schools and allows ISDH to use a manual developed by other state and federal health and environmental agencies; and (2) review and revise the manual at least once every three years.

The Executive Board reviewed the proposed rule at its May 5, 2010 meeting. After publishing the proposed rule, the ISDH conducted a public hearing on the proposed rule on October 12, 2010. A summary of public comments and the ISDH response to those comments is included.

Attachments: Proposed final rule  
Summary of comments and the ISDH's review of those comments  
Summary of changes from May's proposed rule  
Hearing Officer Report  
Small Business Economic Impact Statement  
IEDC Comments on Economic Impact Statement